

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

LUIS A. CASTELLANOS,

Plaintiff,

v.

HARDER MECHANICAL
CONTRACTORS,

Defendant.

Case No. 1:23-cv-01639-KES-CDB

**ORDER TO SHOW CAUSE WHY
SANCTIONS SHOULD NOT BE
IMPOSED FOR PARTIES' FAILURE TO
COMPLY WITH COURT ORDER**

(Docs. 1-2)

21-DAY DEADLINE

On February 12, 2024, the Court ordered the parties to file a joint scheduling report at least one week in advance of the scheduling conference, set for May 13, 2024. *See* ("Order Setting Mandatory Scheduling Conference," Doc. 6).

On May 7, 2024, Defendant filed a scheduling report to which Plaintiff was not a party. (Doc. 11). Aside from Defendant's representation in the report that it "has been unable to" discuss settlement with Plaintiff prior to filing the report, it is unclear to the Court whether Defendant communicated or attempted to communicate with Plaintiff in connection with preparing a joint report – an obligation reasonably implied in the Court's direction that the parties file a joint report. As of the date of this order, Plaintiff has made no filing responsive to the Court's direction that the parties prepare and file a joint scheduling report.

Local Rule 110 provides that "[f]ailure of counsel or of a party to comply with these Rules or with any order of the Court may be grounds for imposition by the Court of any and all sanctions . . . within the inherent power of the Court." The Court has the inherent power to control its docket and may, in the exercise of that power, impose sanctions where appropriate,

1 including dismissal of the action. Bautista v. Los Angeles County, 216 F.3d 837, 841 (9th Cir.
2 2000).

3 Based on the foregoing, IT IS HEREBY ORDERED that **within 21 days** of entry of this
4 order, the parties shall show cause in writing why sanctions should not be imposed for their
5 failure to file a joint scheduling report in advance of the scheduling conference. In the
6 alternative, by that same deadline, the parties may comply with this order by filing a joint
7 scheduling report consistent in all respects with requirements set forth in the Order Setting
8 Mandatory Scheduling Conference. If after good faith efforts a party is unable to obtain the
9 cooperation of the other party in connection with preparing a joint scheduling report, that party
10 may file a scheduling report that additionally describes the good faith efforts undertaken to
11 procure the other party's contribution to the report.

12 The scheduling conference set for May 13, 2024, is HEREBY VACATED and
13 CONTINUED to June 10, 2024, at 10:00 a.m.

14 Failure to comply with this order will result in the imposition of sanctions, including
15 monetary sanctions and a potential recommendation that this action be dismissed.

16 IT IS SO ORDERED.

17 Dated: May 7, 2024

18 
UNITED STATES MAGISTRATE JUDGE